IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.330 OF 2003

Nitin Shankar Koli ..Petitioner

Versus

State of Maharashtra & Ors. ..Respondents

Mr.R.K.Mendadkar for the petitioner.

Mr.C.R.Sonawane, AGP for Respondent Nos.1, 2, & 4.

Ms.Ranjana Todankar i/by S.S.Pakale for Respondent No.3.

Coram : R.M.LODHA & R.S.MOHITE,JJ

Date : 24.3.2005.

PC

. Heard Mr.R.K.Mendadkar for the petitioner, Mr.C.R.Sonawane, AGP for Respondent Nos.1, 2, & 4 and Ms.Ranjana Todankar for Respondent No.3.

2. In view of the full bench decision of this Court in Writ petition No.6144 of 2002, Sujeet Vasant Patil V/s. State of Maharashtra & Ors. given on 6.8.2004, the contention of the petitioner that the committee for scrutiny and verification of Tribe claims has no jurisdiction cannot be faulted.

3. In view thereof, the order passed by the

Scrutiny committee on 19.10.2002 invalidating the petitioner's caste claim that he belongs to Mahadeo koli cannot be faulted. As a matter of fact, the learned Counsel for the petitioner did not raise any contention on the merits of the impugned order and the only contention advanced by him was about the lack of jurisdiction of the Scrutiny committee. The challenge to the jurisdiction of the Scrutiny committee cannot be accepted in view of the decision of the full bench afore noted.

4. Writ petition is, accordingly, dismissed in limine.

5. The learned Counsel for the petitioner prays for continuation of interim order. However, we find no justification to continue the interim order upon dismissal of the Writ petition. Oral prayer for stay is, accordingly, rejected.

(R.M.LODHA,J)

(R.S.MOHITE,J)